

Pt. 102

19 CFR Ch. I (4–1–14 Edition)

the Commissioner of CBP may impose requirements different from those specified in the CBP Regulations, but only to the extent that such different requirements do not affect the collection of the revenue, public health, safety, or law enforcement. In addition to the requirement of paragraph (a)(1) of this section, the imposition of any such different requirements will be subject to the following conditions:

(1) *Prior publication requirement.* For tests affecting the NCAP, notice will be published in the FEDERAL REGISTER not less than thirty days prior to implementing such test, followed by publication in the Customs Bulletin. The notice will invite public comments concerning any aspect of the test program or procedure, and inform interested members of the public of the eligibility criteria for voluntary participation in the test and the basis for selecting participants; and.

(2) *Post publication requirement.* Within a reasonable time period following the completion of the test, a complete description of the results will be published in both the FEDERAL REGISTER and the Customs Bulletin.

[T.D. 95–21, 60 FR 14214, Mar. 16, 1995, as amended by CBP Dec. 12–21, 77 FR 73309, Dec. 10, 2012]

PART 102—RULES OF ORIGIN

Sec.

102.0 Scope.

Subpart A—General

102.1 Definitions.

Subpart B—Rules of Origin

- 102.11 General rules.
- 102.12 Fungible goods.
- 102.13 De Minimis.
- 102.15 Disregarded materials.
- 102.17 Non-qualifying operations.
- 102.18 Rules of interpretation.
- 102.19 NAFTA preference override.
- 102.20 Specific rules by tariff classification.
- 102.21 Textile and apparel products.
- 102.22 Rules of origin for textile and apparel products of Israel.
- 102.23 Origin and Manufacturer Identification.
- 102.24 Entry of textile or apparel products.
- 102.25 Textile or apparel products under the North American Free Trade Agreement.

APPENDIX TO PART 102—TEXTILE AND APPAREL MANUFACTURER IDENTIFICATION

AUTHORITY: 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1624, 3314, 3592.

SOURCE: T.D. 94–4, 59 FR 113, Jan. 3, 1994, unless otherwise noted.

§ 102.0 Scope.

With the exception of §§102.21 through 102.25, this part sets forth rules for determining the country of origin of imported goods for the purposes specified in paragraph 1 of Annex 311 of the North American Free Trade Agreement (“NAFTA”). These specific purposes are: country of origin marking; determining the rate of duty and staging category applicable to originating textile and apparel products as set out in Section 2 (Tariff Elimination) of Annex 300–B (Textile and Apparel Goods); and determining the rate of duty and staging category applicable to an originating good as set out in Annex 302.2 (Tariff Elimination). The rules set forth in §§102.1 through 102.21 of this part will also apply for purposes of determining whether an imported good is a new or different article of commerce under §10.769 of the United States-Morocco Free Trade Agreement regulations and §10.809 of the United States-Bahrain Free Trade Agreement regulations. The rules for determining the country of origin of textile and apparel products set forth in §102.21 apply for the foregoing purposes and for the other purposes stated in that section. Section 102.22 sets forth rules for determining whether textile and apparel products are considered products of Israel for purposes of the customs laws and the administration of quantitative limitations. Sections 102.23 through 102.25 set forth certain procedural requirements relating to the importation of textile and apparel products.

[CBP Dec. 05–32; 70 FR 58013, Oct. 5, 2005, as amended by CBP Dec. 07–81, 72 FR 58522, Oct. 16, 2007; CBP Dec. 08–29, 73 FR 45354, Aug. 5, 2008]

Subpart A—General

§ 102.1 Definitions.

(a) *Advanced in value.* “Advanced in value” means an increase in the value of a good as a result of production with